

Docket No.: 04654/1200494-US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Balasubramanian Gopalan et al.

Application No.: 10/821,642

Confirmation No.: 9007

Filed: April 9, 2004

Art Unit: 1626

For: NOVEL HETEROCYCLIC COMPOUNDS
USEFUL FOR THE TREATMENT OF
INFLAMMATORY AND ALLERGIC
DISORDERS: PROCESS FOR THEIR
PREPARATION AND PHARMACEUTICAL
COMPOSITIONS CONTAINING THEM

Examiner: Not Yet Assigned

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

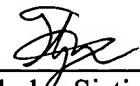
Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed August 26, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), and Part 2 Copy of Notice.

Our check in the amount of ~~\$2,522.00~~ ^{\$2,550.00} covering the fee set forth in 37 CFR 1.16(e) and the filing fee for the subject application is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: October 6, 2004

Respectfully submitted,

By  ^{FLYNN BARRETT}
(53,970)
Nicholas Sisti

Registration No.: 54,453
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 753-6237 (Fax)
Attorneys/Agents For Applicant



Application No. (if known): 10/821,642

Attorney Docket No.: 04654/1200494-US1

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. 9367699154-US in an envelope addressed to:

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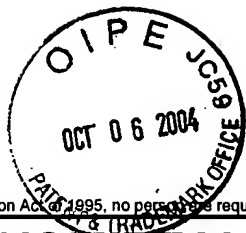
on October 6, 2004
Date

Signature

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Combined Declaration and Power of Attorney (4pp);
Part 2 Copy of Notice;
Response to Notice to File Missing Parts of Application (2pp);
Fee Transmittal (1pp); ~~\$2550~~
Check in the amount of ~~\$2,522.00~~; and
Return receipt postcard.



PTO/SB/17 (10-04)
Approved for use through 7/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005 <small>Effective 10/01/2004. Patent fees are subject to annual revision.</small>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/821,642-Conf. #9007
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	April 9, 2004
2,552.00		First Named Inventor	Balasubramanian Gopalan
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	04654/1200494-US1

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check	<input type="checkbox"/> Credit Card	3. ADDITIONAL FEES	
<input type="checkbox"/> Money Order	<input type="checkbox"/> Other		
<input type="checkbox"/> None			
Deposit Account:			
Deposit Account Number: 04-0100			
Deposit Account Name: Darby & Darby P.C.			
The Director is authorized to: (check all that apply)			
<input type="checkbox"/> Charge fee(s) indicated below			
<input checked="" type="checkbox"/> Credit any overpayments			
<input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			

FEE CALCULATION	
1. BASIC FILING FEE	
Large Entity	Small Entity
Fee Code	Fee Code
Fee (\$)	Fee (\$)
Fee Description	Fee Paid
1001 790	2001 395
1002 350	2002 175
1003 550	2003 275
1004 790	2004 395
1005 160	2005 80
SUBTOTAL (1) (\$)	
790.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE	
Total Claims	91
Independent Claims	7
Multiple Dependent	
Extra Claims	71
Fee from below	18.00
Fee Paid	1,278.00
Extra Claims	4
Fee from below	88.00
Fee Paid	352

Large Entity		Small Entity	
Fee Code	Fee (\$)	Fee Code	Fee (\$)
Fee Description			
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)		630	

3. ADDITIONAL FEES	
Large Entity	Small Entity
Fee Code	Fee Code
Fee (\$)	Fee (\$)
Fee Description	Fee Paid
1051 130	2051 65
1052 50	2052 25
1053 130	1053 130
1812 2,520	1812 2,520
1804 920*	1804 920*
1805 1,840*	1805 1,840*
1251 110	2251 55
1252 430	2252 215
1253 980	2253 490
1254 1,530	2254 765
1255 2,080	2255 1,040
1401 340	2401 170
1402 340	2402 170
1403 300	2403 150
1451 1,510	1451 1,510
1452 110	2452 55
1453 1,370	2453 685
1501 1,370	2501 685
1502 490	2502 245
1503 660	2503 330
1460 130	1460 130
1807 50	1807 50
1806 180	1806 180
8021 40	8021 40
1809 790	2809 395
1810 790	2810 395
1801 790	2801 395
1802 900	1802 900
Other fee (specify)	1617
	130.00
SUBTOTAL (3) (\$)	
130.00	

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Nicholas Sisti	Registration No. (Attorney/Agent)	54,453
Signature	[Signature]	Telephone	(212) 527-7700
		Date	October 6, 2004

Express Mail Label No.

Dated: _____



10-07-04

IFW \$

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/821,642	04/09/2004	Balasubramanian Gopalan	04654/1200494-US1

CONFIRMATION NO. 9007

07278
 DARBY & DARBY P.C.
 P. O. BOX 5257
 NEW YORK, NY 10150-5257

FORMALITIES LETTER



OC000000013640674

Date Mailed: 08/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1622 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

10/12/2004 CCHAU1 00000040 10821642

Total additional fee(s) required for this application is \$2522 for a Large Entity

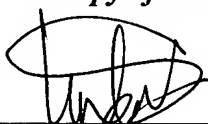
01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1201	352.00 OP
04 FC:1202	1278.00 OP

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1622**
 - **\$344** for **4** independent claims over 3.
 - **\$1278** for **71** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "W. J. ...", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE